

PATENT
ATTORNEY DOCKET NO.: 063373-5010 (AMENDED)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
David SOLOMON, <i>et al.</i>)	Confirmation No. 4121
)	
Application No.: 09/647,821)	Group Art Unit: 1713
)	
Filed: January 16, 2001)	Examiner: L.S. Choi
)	
For: IMPROVED ELECTROPHORESIS GEL)	
AND GEL-FORMING APPARATUS)	

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

SMALL ENTITY STATEMENT UNDER 37 C.F.R. § 1.27

This statement is being submitted to indicate that small entity status is entitled to be asserted in the above-identified application.

No fee is believed to be due for submission of this statement. However, if any additional fees are due with the filing of this Statement, the Commissioner is hereby authorized to charge such fees to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: April 4, 2005

By:

David J. Baltazar (Reg. No. 53,964)

CUSTOMER NO. 09629
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Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, **Mail Stop Amendment**
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

AMENDMENT UNDER 37 C.F.R. §1.111 TRANSMITTAL FORM

1. Transmitted herewith is an Amendment responding to the non-final Office Action dated October 5, 2004.
2. Additional papers enclosed:
 - ☐ Drawings: ☐ Formal ☐ Informal (Correction)
 - ☐ Information Disclosure Statement
 - ☐ Form PTO-1449, _____ references included
 - ☐ Citations
 - ☐ Declaration of Biological Deposit
 - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
 - ☒ Other: Small Entity Statement Under 37 C.F.R. § 1.27.

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	17	minus	20	0	x \$50 each=	+ \$000.00
Independent Claims (37 C.F.R. §1.16(b))	3	minus	3	0	x \$200 each=	+ \$000.00
[] First presentation of Multiple dependent claim(s)					\$360.00	+ \$000.00
SUB-TOTAL =						\$000.00
Reduction by ½ for filing by a small entity						- \$000.00
TOTAL FEE =						\$000.00

6. Fee Payment

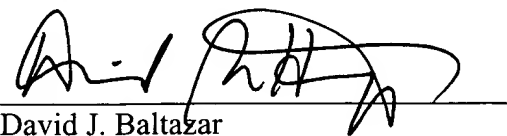
- ☐ No fee is to be paid at this time.
- ☒ The Commissioner is hereby authorized to charge Deposit Account 50-0310 in the amount of **\$510.00** for the fee for a three-month extension of time.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: April 4, 2005

By:


David J. Baltazar
Reg. No. 53,964

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3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input checked="" type="checkbox"/> three months	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$ 795.00

Extension of time fee due with this request: \$ 510.00

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).